

CITY OF CELINA, TEXAS

**ORDINANCE 2018-56
CREEKS OF LEGACY (PARCEL 3) – PD-46**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, AMENDING ORDINANCE NO. 2006-57, AS HERETOFORE AMENDED, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY DESIGNATING THE ZONING OF LAND THAT IS AN APPROXIMATELY 24.587 ACRE TRACT OF LAND SITUATED IN THE WILLIAM DAVENPORT SURVEY, ABSTRACT NO. 262, COLLIN COUNTY, TEXAS, AND LOCATED ON THE EAST SIDE OF N. LEGACY DRIVE (CR 6) APPROXIMATELY 750 FEET NORTH OF FRONTIER PARKWAY (CR 5), COLLIN COUNTY, TEXAS; AS DESCRIBED IN EXHIBIT "A" AND DEPICTED IN EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN TO BE ZONED "PD" PLANNED DEVELOPMENT DISTRICT NO. 46; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT OF ZONING CLASSIFICATION; PROVIDING FOR ZONING DESIGNATION AND DEVELOPMENT STANDARDS; PROVIDING FOR REVISION OF ZONING MAP; PROVIDING FOR COMPLIANCE; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00 AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES AND INCLUDING PROVISIONS FOR THE AUTHORIZATION TO SEEK INJUNCTIVE RELIEF TO ENJOIN VIOLATIONS WHICH CONSTITUTE AN IMMINENT HAZARD OR DANGER TO PUBLIC HEALTH AND SAFETY; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Celina is a home rule municipality located in Collin and Denton County, Texas created in accordance with the provisions of the Texas Local Government Code, The Texas Constitution and operating pursuant to the enabling legislation of the state of Texas; and

WHEREAS, the City Council of the City of Celina, Texas is empowered under Local Government Code 54.001 to do all acts and make all regulations which may be necessary or expedient for the promotion of the public health, safety and general welfare; and

WHEREAS, Title 7 Chapter 211.003 of the Texas Local Government Code, empowers a municipality to, among other things, establish and amend zoning districts, classifications of land use, adopt a comprehensive plan to regulate the use of land and open spaces, adopt and amend zoning regulations, regulate population density, and regulate the use and location of buildings; and

WHEREAS, the establishment of a zoning classification has been requested for the property more specifically described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, the property has been depicted in detail in Exhibit "B" attached hereto; and incorporated herein; and

WHEREAS, the concept plan and development regulations set forth in Exhibit "C" and Exhibit "D" attached hereto and incorporated herein define the base zoning districts and provide for certain modifications to such district regulations.

WHEREAS, the City Council has considered, among other things, the character of the property and

its suitability for particular uses, with a view of encouraging the most appropriate use of land in the City, and is in the interest of public health, safety, and welfare, and does hereby find that the requested zoning accomplishes such objectives and is consistent with the provisions of the 2030 Comprehensive Plan of the City of Celina; and

WHEREAS, the Planning and Zoning Commission of the City of Celina and the City Council of the City of Celina, in compliance with the laws of the State of Texas and the ordinances of the City of Celina, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof; and

WHEREAS, the City Council, in the exercise of its legislative discretion has concluded that the zoning classification on the tract of land described herein should be changed and the zoning map so amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS

SECTION 1
INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2
FINDINGS

After due deliberations the City Council has concluded that the adoption of this Ordinance is in the best interest of the City of Celina, Texas and of the public health, safety and welfare.

SECTION 3
AMENDMENT OF ZONING CLASSIFICATION

That the zoning classification is hereby established as "PD" Planned Development District No. 46 on a certain tract of land described in in Exhibit "A" and depicted in Exhibit "B."

SECTION 4
ZONING DESIGNATION AND DEVELOPMENT STANDARDS

That Ordinance No. 2006-57 of the City of Celina, Texas, as heretofore amended, the same being the City's Comprehensive Zoning Ordinance, is hereby amended by designating the zoning on the land, depicted in Exhibit "A" attached hereto and incorporated herein as PD-46, and incorporates the concept plan attached hereto as Exhibit "C" and the development standards attached hereto as Exhibit "D."

SECTION 5
REVISION OF ZONING MAP

That the City Manager for the City of Celina is hereby directed to mark and indicate on the official Zoning District Map of the City the zoning change herein made.

SECTION 6
COMPLIANCE REQUIRED

That the property depicted on Exhibit "A" hereto shall be used only in the manner and for the purposes provided for in this ordinance and the Comprehensive Zoning Ordinance, of the City of Celina as amended save and except minor revisions necessitated by final, detailed civil engineering, architectural or landscape design.

SECTION 7
PENALTY

7.01 Any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Celina, and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense.

7.02 If the governing body of the City of Celina determines that a violation of this Ordinance has occurred, the City of Celina may bring suit in district court to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

SECTION 8
CUMULATIVE REPEALER CLAUSE

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 9
SAVINGS CLAUSE

All rights and remedies of the City of Celina, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning regulation which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

SECTION 10
SEVERABILITY

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

SECTION 11
PUBLICATION CLAUSE

The City Secretary of the City of Celina is hereby directed to publish in the Official Newspaper of the City of Celina the Caption, and Effective Date of this Ordinance as required by Section 52.013 of the Local Government Code.

SECTION 12
ENGROSSMENT AND ENROLLMENT

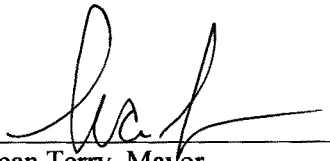
The City Secretary is hereby directed to engross and enroll this Ordinance by copying the descriptive Caption in the minutes of the City Council and by filing this Ordinance in the Ordinance records of the City.

SECTION 13
EFFECTIVE DATE


This Ordinance shall become effective from and after its date of passage and publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED by the City Council of the City of Celina, Texas this 9th day of October, 2018.


Sean Terry, Mayor
City of Celina, Texas

ATTEST:


Vicki Faulkner, City Secretary
City of Celina, Texas

[SEAL]

APPROVED AS TO FORM:

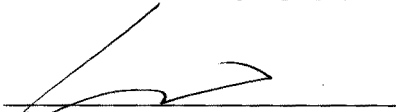

City Attorney
City of Celina, Texas



Exhibit A
Legal Description

Being a tract of land situated in the William Davenport Survey, Abstract No. 262, in the City of Celina, Collin County, Texas, being a part of that same tract of land described to Celina Investment Partners, Ltd. by deed recorded in Volume 5916, Page 862 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being more particularly described by metes and bounds as follows:

Beginning at the intersection of the centerline of Legacy Drive (120 foot right-of-way) with the northwest corner of said Celina Investment Partners tract;

THENCE South $89^{\circ} 39' 26''$ East a distance of 60.01 feet to a point for corner, said corner being at the east limit of said Legacy Drive;

THENCE North $00^{\circ} 30' 48''$ East a distance of 37.50 feet, with the east line of Legacy Drive to a point for corner;

North $89^{\circ} 39' 26''$ East a distance of 37.43 feet, departing said east line of Legacy Drive to a point for corner, said corner being the beginning of a non-tangent curve to the left;

THENCE along said non-tangent curve to the left, through a central angle of $10^{\circ} 29' 22''$, an arc length of 130.99 feet, said curve having a radius of 715.50 feet, a chord length of 130.81 feet which bears North $80^{\circ} 48' 53''$ East, to a point for corner, said corner being the beginning of a non-tangent curve to the left;

THENCE along said non-tangent curve to the left, through a central angle of $2^{\circ} 43' 57''$, an arc length of 179.59 feet, said curve having a radius of 3765.74 feet, a chord length of 179.58 feet which bears North $74^{\circ} 15' 01''$ East, to a point for corner, said corner being the beginning of a non-tangent curve to the right;

THENCE along said non-tangent curve to the right, through a central angle of $104^{\circ} 16' 21''$, an arc length of 1540.54 feet, said curve having a radius of 846.50 feet, a chord length of 1336.58 feet which bears South $50^{\circ} 07' 20''$ West, to a point for corner, said point being in the south line said Celina Investment Partners Tract;

THENCE South $89^{\circ} 50' 16''$ West, along said South line, a distance of 1432.23 feet to a point for corner, said corner being at the center of said Legacy Drive (120 foot right-of-way);

THENCE North $00^{\circ} 30' 50''$ East, along the centerline of said Legacy Drive, a distance of 754.49 feet to the PLACE OF BEGINNING and containing 24.587 Acres of land, more or less.

Exhibit B

Zoning Exhibit

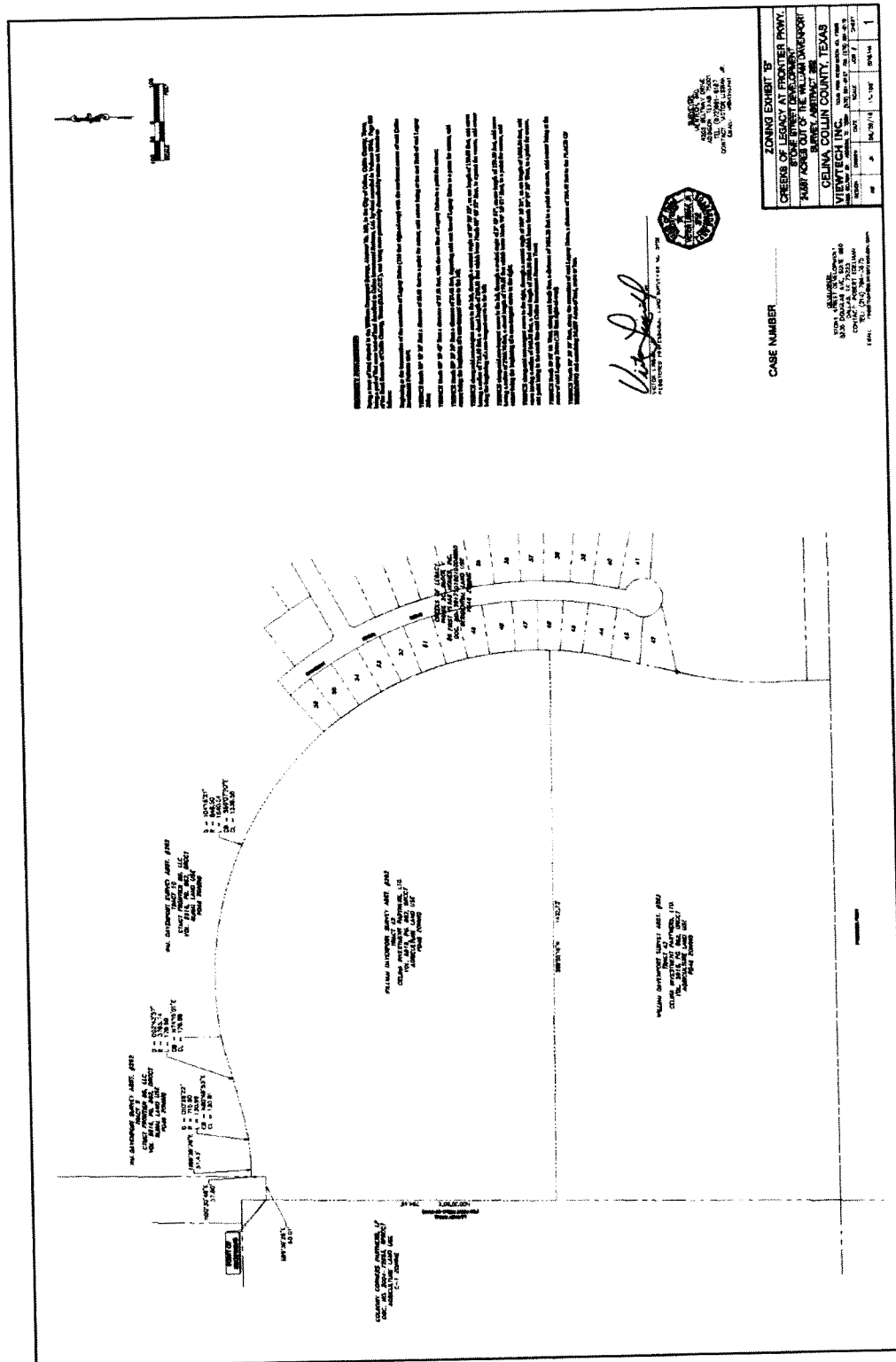


Exhibit C Concept Plan

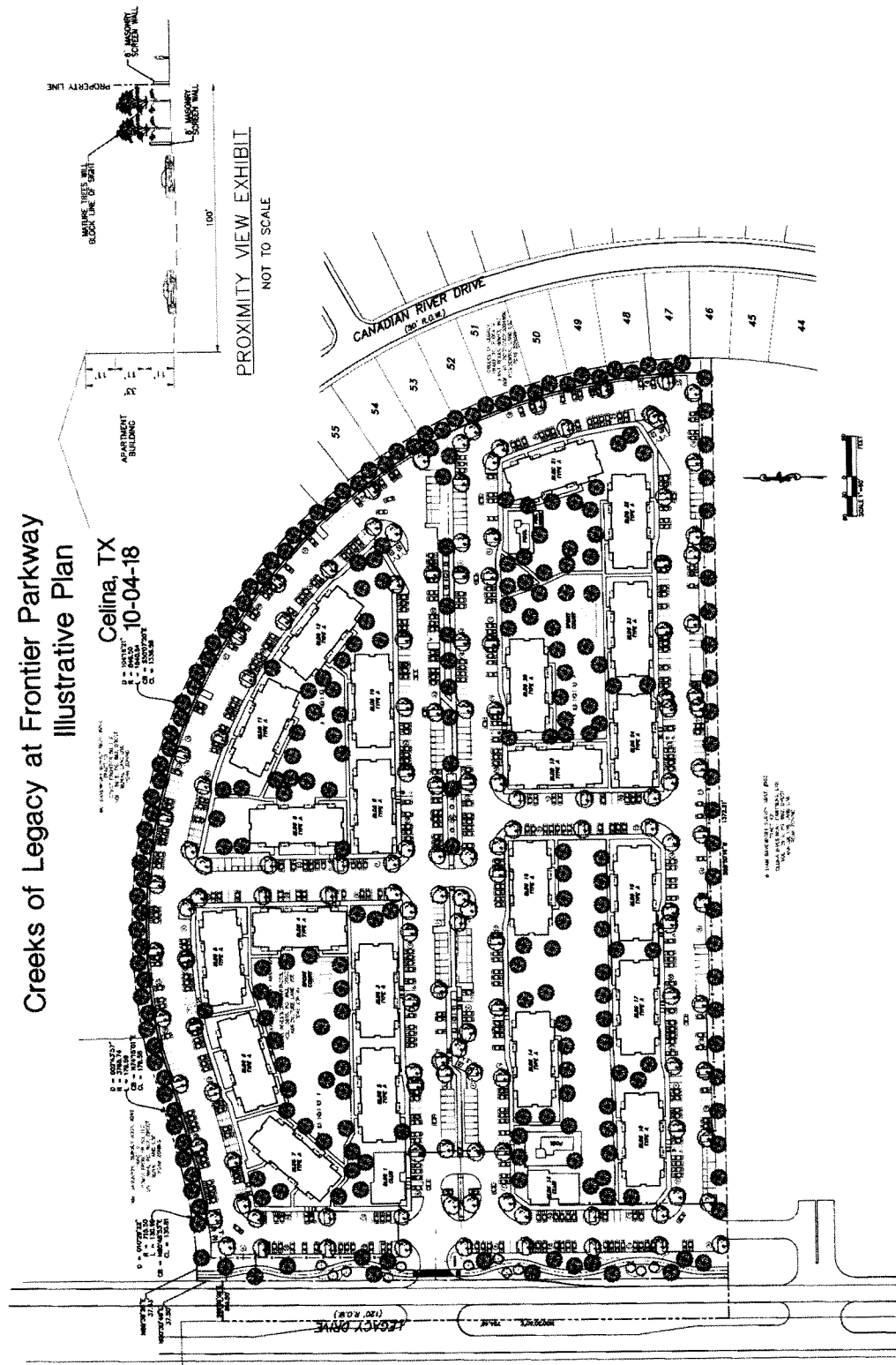


Exhibit D Development Regulations

DEFINITIONS

Any capitalized terms not defined below are per the definition as provided in the City of Celina Code of Ordinance Chapter 14, as written or as may be amended.

Common Area: Any portion of the PD District that does not constitute a residential lot or street right-of-way and is owned by the Homeowners Association.

Homeowner Association: An association governed by by-laws, deed restrictions, and architectural guidelines of the community. All lot owners will have mandatory membership in the homeowner association, which, among other things, will require financial obligations in the form of annual membership dues.

PD District Concept Plan (Exhibit C): The graphic plan for PD District that establishes and delineates the location of the respective Lot Types and is attached as Exhibit C.

Main Structure: The primary residence to be constructed on any Lot.

Open Space: Publicly or privately accessible parks, greens, sports fields, plazas, landscaped areas, natural flood plain or drainage areas, and tot lots, shall constitute Open Space.

Parkway: The area between the curb and the right-of-way in front of residential lots.

PD District: The land and/or lots contained within the legal boundaries identified in Exhibit A.

Shall: A term requiring compliance.

Should: A term encouraging compliance.

CONCEPT PLAN

Exhibit C identifies and locates the proposed land uses outlined within the Property. All land uses shall conform to the District Regulations in place at the time of development unless modified herein. The proposed development should have unified and consistent design elements and provide an integrated development that follows the Comprehensive Plan dated April, 2013 and compliments the City of Celina.

ARCHITECTURAL ELEVATIONS

Section 14.02.153 of the City of Celina Zoning Ordinance requires, as deemed necessary by the city manager, the submittal of architectural elevations in the zoning submittal application. Architectural elevations must comply with the architectural standards of the Zoning Ordinance as it exists or may be amended.

During project development, however after zoning may be approved, Staff reserves the right to require architectural elevation modification prior to approval of a building permit.

Landscape Design

Section 14.02.224 of the City of Celina Zoning Ordinance requires the submittal and approval of landscaping and irrigation plans with site plan approval request. Concept landscape plans have been submitted accordingly.

During project development, however after zoning may be approved, Staff will require additional detail in the landscaping and irrigation plans prior to approval of a building permit.

Commercial-PARCEL 4 - PERMISSIBLE USES

The requirements and types of commercial uses allowed for commercial lots within this PD shall follow Chapter 14 of the City of Celina's Zoning Ordinance, as amended, which details the requirements of the C-2 General Commercial Zoning District. All uses allowed under the C-2 zoning districts as established in the City of Celina Zoning Ordinance, as amended, are hereby allowed under this PD ordinance except as follows:

Uses not permitted:

1. Dyeing facilities

2. Ice cream plants
3. Ice plants/cold storage plants
4. Mortuaries
5. Pumping stations
6. Tire repair shops, except as incidental to auto repair operations
7. Auto body operations
8. Spray-painting operations
9. Storage of rental trucks and trailers
10. Taxidermists

Single-Family-PARCELS 1 and 2 - PERMISSIBLE USES

The following uses shall be allowed:

1. Agricultural Uses – Agricultural uses whose products are grown primarily for home consumption, such as domestic gardening, berry or bush crops, tree crops, flower gardening, orchards and aviaries.
2. Residential Uses: Single-family detached dwellings
3. Community Facility Uses:
 - A. Public and private parks;
 - B. Recreational and open space including but not limited to playgrounds, parkways, greenbelts, ponds and lakes, botanical gardens, pedestrian paths, bicycle paths, equestrian bridle trails, nature centers, bird and wildlife sanctuaries;
 - C. Amenity centers.
4. Temporary structure for storage of building materials and equipment used for initial residential construction, when on the same or adjoining lot, for a period not to exceed the duration of the construction. This shall include temporary trailers for construction and sales activity. Building material storage will be allowed adjacent to temporary trailers or in a lot designed for storage.
5. Manufactured and/or modular homes are prohibited in this PD district.

SINGLE-FAMILY RESIDENTIAL DESIGN GUIDELINES

I. Lot Type Regulations

The PD District will include a variety of lot types in order to achieve the goals established for the district. The lot types and requirements for each shall be as follows:

A. Lot Type 1:

1. Purpose: This lot type is designed to allow single family detached dwellings on lots of not less than five thousand five hundred (5,500) square feet, with front-entry garages, together with the allowed incidental and accessory uses.
2. Height Regulations: No building shall exceed forty feet (40') or two and one-half (2-1/2) stories in height to the highest point of its roof.
3. Area Regulations: The following minimum standards shall be required as measured from property lines:

Lot Size: Five thousand five hundred (5,500) square feet.

Lot Coverage: The maximum Lot Coverage shall not exceed sixty percent (60%).

Minimum Floor Area: The minimum square footage of a dwelling unit, exclusive of garages, breezeways and porches, shall be seventeen hundred (1,700) square feet.

Front Yard: Front yard setbacks shall vary and shall be shown on the Final Plat for the subdivision. To create a variety of front yards on each street, a relatively equal number of lots shall be platted with twenty feet (20') and twenty-five feet (25') minimum front yards. No more than six (6) homes in a row along a block face shall have the same front yard setback. Covered Front Porches may extend over the front building setback line up to five feet (5'), but the garage door must remain at or behind the front setback line in all instances.

Rear Yard: Ten feet (10') minimum.

Side Yard: Five feet (5') minimum.
Side Yard Adjacent to Street: Fifteen feet (15') minimum.
Lot Width: Fifty feet typical (50'); forty feet (40') minimum (@ right-of-way) on cul-de-sac lots.
Lot Depth: One hundred ten feet (110') minimum.
Lot Depth (cul-de-sac): Eighty-five feet (85') minimum.
Garage Orientation: May face the street.
Garage Setback: Equivalent to the front yard setback shown on the final plat for the applicable lot.

B. Lot Type 2:

1. Purpose: This lot type is designed to allow single family detached dwellings on lots of not less than six thousand six hundred (6,600) square feet with front-entry garages, together with the allowed incidental and accessory uses.
2. Height Regulations: No building shall exceed forty feet (40') or two and one-half (2-1/2) stories in height to the highest point of its roof.
3. Area Regulations: The following minimum standards shall be required as measured from property lines:

Lot Size: Six thousand six hundred (6,600) square feet.

Lot Coverage: The maximum Lot Coverage shall not exceed fifty-five percent (55%).

Minimum Floor Area: The minimum square footage of a dwelling unit, exclusive of garages, breezeways and porches, shall be nineteen hundred (1,900) square feet.

Front Yard: Front yard setbacks shall vary and shall be shown on the Final Plat for the subdivision. To create a variety of front yards on each street, a relatively equal number of lots shall be platted with twenty feet (20') and twenty-five feet (25') minimum front yards. No more than six (6) homes in a row along a block face shall have the same front yard setback. Covered Front Porches may extend over the front building setback line up to five feet (5'), but the garage door must remain at or behind the front setback line in all instances.

Rear Yard: Ten feet (10') minimum.

Side Yard: Five feet (5') minimum.

Side Yard Adjacent to Street: Fifteen feet (15') minimum.

Lot Width: Sixty feet (60') typical; fifty feet (50') minimum (@ right-of-way) on cul-de-sac lots.

Lot Depth: One hundred ten feet (110') minimum.

Lot Depth (cul-de-sac lot): Eighty-five feet (85') minimum.

Garage Orientation: May face the street.

Garage Setback: Equivalent to front yard setback shown on final plat for the applicable lot.

C. Lot Type 3:

1. Purpose: This lot type is designed to allow single family detached dwellings on lots of not less than seven thousand seven hundred (7,700) square feet, together with the allowed incidental and accessory uses.
2. Height Regulations: No building shall exceed forty feet (40') or two and one-half (2-1/2) stories in height to the highest point of its roof.
3. Area Regulations: The following minimum standards shall be required as measured from property lines:

Lot Size: Seven thousand seven hundred (7,700) square feet.

Lot Coverage: The maximum Lot Coverage shall not exceed sixty percent (60%).

Minimum Floor Area: The minimum square footage of a dwelling unit, exclusive of garages, breezeways and porches, shall be two thousand four hundred (2,400) square feet.

Front Yard: Front yard setbacks shall vary and shall be shown on the Final Plat for the subdivision. To create a variety of front yards on each street, a relatively equal number of

lots shall be platted with twenty feet (20') and twenty-five feet (25') minimum front yards. No more than six (6) homes in a row along a block face shall have the same front yard setback. Covered Front Porches may extend over the front building setback line up to five feet (5'), but the garage door must remain at or behind the front setback line in all instances.

Rear Yard: Ten feet (10') minimum.

Side Yard: Five feet (5') minimum.

Side Yard Adjacent to Street: Fifteen feet (15') minimum.

Lot Width: Seventy feet (70') typical; sixty feet (60') minimum (@ right-of-way) on cul-de-sac lots.

Lot Depth: One hundred ten feet (110') minimum.

Lot Depth (cul-de-sac lot): Eighty-five feet (85') minimum.

Garage Orientation: May face the street; garage access should be accomplished utilizing "swing-in" driveways for a minimum of 50% of this lot type.

Garage Setback: Equivalent to front yard setback shown on final plat for the applicable lot.

II. Neighborhood Regulations

The maximum number of lots permitted within Parcels 1 and 2 shall not exceed 1,064 lots. The maximum percentage of lots per Lot Type is as follows:

Lot Type 1: 60%

Lot Type 2: 30% minimum

Lot Type 3: 12% minimum

The lot types shall generally conform to the layout shown in Exhibit C – Concept Plan.

III. Development and Design Standards

A. Sign Program: This development shall conform to the City's current sign ordinance as it currently exists or may be amended.

B. Landscape Standards: All development within PD District shall comply with the following:

1. Tree requirements:

i. Trees are required to be planted by the homebuilder in the front yard of all lots per the following schedule:

- Lot Type 1 – one, 4" caliper tree, measured at 12 inches above the ground
- Lot Type 2 – one, 4" caliper tree, measured at 12 inches above the ground
- Lot Type 3 – two, 4" caliper tree, measured at 12 inches above ground

ii. Trees shall be planted adjacent to all thoroughfares and collector roads per the following schedule:

- One, 3" caliper tree, measured at 12 inches above ground, spaced every 125'
- Trees shall be planted between the rear property line of the adjacent Lot and the sidewalk
- Planted at the time the adjacent Lot(s) are developed Planted at the time a phase is constructed.

iii. Tree species shall comply with the City of Celina Zoning Ordinance Chapter 14.05 Appendix E. Tree species located along the common buffer with detached single-family uses shall be evergreen in nature.

Mixed Use Regional District MU-2 - PARCEL 3

The MU-2 requirements shall follow Chapter 14 of the City of Celina's Zoning Ordinance, as it exists or may be amended, which details the requirements of the MU-2 Mixed Use Regional District. All uses and development regulations allowed under the MU-2 zoning district as established in the City of Celina Zoning Ordinance, as amended, are hereby allowed under this PD ordinance except as follows:

I. Density: Multiple-family units; maximum 540 units.

II. Height: Multiple-family units are limited to three (3) stories.

III. Land use mix limits: The MU-2 zoning district will have a mix of residential and nonresidential uses at the following rates:

- A. Nonresidential uses (stand-alone): shall not exceed 40% of the gross area of the MU-2 zoning district.
- B. Multiple-family uses (stand-alone): Shall not exceed 24.587 acres of the MU-2 zoning district.

IV. Exterior standards for Multi-family:

Category A Materials: brick, stone, or manufactured stone (not panels).

Category B Materials: split-face CMU, stucco, cementitious fiber board, treated engineered wood

Category C Materials: metal, natural wood, tile, glass, EIFS

Required Percentages of Exterior Materials for Multifamily		
<i>Facades</i>	<i>Percentage Breakdown</i>	<i>Definition</i>
Primary	85% Category A 15% Category B* 0% Category C*	Exterior walls of buildings which face a street or parking area
Secondary	50% Category A 50% Category B* 0% Category C*	Exterior walls of buildings which are NOT clearly visible from a public street, such as an interior courtyard

*Treated engineered wood or EIFS may be used for trim or soffit construction – the percentage of treated engineered wood or EIFS must be subtracted from the percentage of other category materials so that the total percentage of any given façade remains as stated above.

1. Primary facades. Exterior facades that face a public street or a parking lot shall be constructed of eighty-five percent (85%) masonry Category A products*.
2. Secondary facades. Facades that do not face a public street or parking lot (such as an interior courtyard) shall be constructed of a minimum of fifty percent (50%) masonry Category A products with the remainder being one or more Category B materials.
3. Two masonry materials required. At least two (2) masonry materials shall be used on all exterior facades.
4. Architectural style. All buildings within a common development, as shown on a development plan, concept plan, or site plan, shall have similar architectural styles, materials, colors and detailing; however, sufficient variations should be incorporated to discourage buildings that are exactly duplicated.
5. Facades adjacent to streets. Facades shall generally be built parallel to the street frontage.
6. Facades adjacent to single family. Facades shall generally be built perpendicular when adjacent to single family districts.
7. Accessory building materials. Amenity centers, covered garages, and other accessory buildings shall meet the exterior material requirements of the primary facades. Carports shall meet the exterior material requirements of the primary facades with the exception of the support poles, which may be constructed of painted metal.
8. Amenities/hardscape. All streetscape elements and site amenities, such as bike racks, trash receptacles, lampposts, and tree grates shall be metal, rust and flake/chip resistant, and generally be black in color. Bollards may be concrete or cast metal and shall be of decorative design.
9. Roof design. Roofs shall be peaked with either hip, gable or mansard design with a minimum one-to-four (1:4) pitch, or a parapet wall or false mansard design with a minimum one-to-two (1:2) pitch is acceptable only if constructed around the entire perimeter of a building so that no flat roof shall be visible from a public street or along an active storefront.

10. Roof materials. Any accessory structure (such as a garage, carport or amenity center) within a multi-family development shall have a decorative metal roof or a parapet wall to shield roof-mounted equipment.
11. Canopies and roof extensions. Decorative canopies or roof extensions within a multi-family development shall be constructed of metal. Shingles on these canopies or roof extensions are not permitted.
12. Building color.
13. Earth tones. The dominant color of all buildings shall be muted, natural or earth-tone shades of color. Black and stark white shall not be used except as an accent color.
 - i. Accent colors which comprise less than one percent (1%) of the building face may use a wider spectrum of colors than those allowed as the dominant color, except that no high intensity colors, neon colors or fluorescent colors shall be used on exterior surfaces of the building.
 - ii. Bright, reflective, pure tone primary or secondary colors are permissible only in limited application as accent colors on door and window frames, moldings, cornices, canopies, awnings, signs, etc. This provision shall not be construed as a license to employ corporate imaging or logos on the primary building facade.
 - iii. No more than one (1) color shall be used for visible roof surfaces; however, if more than one type of roofing material is used, the materials may be varying hues of the same color.
14. Additional design standards. All multi-family primary buildings shall be designed to incorporate no less than four (4) of the architectural elements from the list below.
 - i. Canopies, awnings, porticos with colonnade or arcades; raised pilaster cornices (end columns at corners), or quoined corners (any of various bricks of standard shape for forming corners of brick walls or a wedge-shaped piece of wood, stone, or other material, used for various ornamental purposes at corners).
 - ii. Vertical elements (tower, cupola, lighthouse, turret, arches, etc.);
 - iii. Accented windows and doors framed with smooth cobble, cast stone, limestone or other decorative masonry headers and sills; or dormer windows;
 - iv. Outdoor patios and/or courtyards (landscaped and furnished);
 - v. Decorative ornamentation integrated into the building facade, such as corbels, medallions (non-signage), functioning clocks, niches, wrought iron, balconettes, gargoyles, or horizontal and rhythm patterned brickwork;
 - vi. Other similar architectural features, as approved by the Director.

V. Screening, Setbacks and Landscaping.

- A. Screening. A minimum eight (8) foot tall solid masonry screening wall (with a solid metal gate that is primed and painted) shall be provided along any property line adjacent to single-family residential uses. Although not required, a decorative fence separating the multi-family land use from the commercial tract to the south is encourage. A pedestrian access-way from the multi-family development to the commercial tract is required.
- B. All multi-family structures shall be set back a minimum of 100 feet from any property line adjacent to single-family residential uses. However, due to site constraints, Building 21 may encroach up to ten (10) feet into this 100 foot setback.
- C. Landscape Buffers:
 1. A minimum twenty-five (25) foot wide landscape buffer shall be provided adjacent to any single-family residential uses.
 2. A minimum forty (40) foot wide landscape buffer shall be provided adjacent to Legacy Drive.
 3. A minimum fifteen (15) foot wide landscape buffer shall be provided adjacent to any commercial, retail, or office uses.
- D. Landscaping within Buffers:

1. Street trees. Large canopy trees shall be required in the landscaped buffer along any roadway or access drive at a rate of one tree for every thirty (30) linear feet of frontage.
 2. Required interior site landscaping. For surface parking lots, one landscape island with one large canopy tree and appropriate ground cover shall be provided for every ten (10) parking spaces.
 3. Parking lot screening. A landscape planting of sixteen (16) evergreen shallow-rooted shrubs, a minimum three-gallon size at the time of planting, shall be planted for each fifty (50) linear feet of street frontage, exclusive of drives, in groupings or hedgerow style on sites that have a minimum three-foot-wide bed shall be provided for the planting of such shrubs. Shallow-rooted shrubs may be placed if located over a water or sewer easement.
 4. Adjacent to a single-family use or zoning district. A single row of trees shall be required in the landscaped buffer along any residential adjacency as shown in the attached Concept Plan. Tree species shall be evergreen in nature.
- E. Sidewalks/Trails. Sidewalks and trails shall have a meandering alignment and may encroach into the landscape buffer. Sidewalks along major thoroughfares shall be a minimum of ten (10) feet in width. Interior sidewalks or sidewalks along collector streets shall be a minimum of five (5) feet in width.
- I. **HOMEOWNERS ASSOCIATION:** Homeowner Associations or Property Owner Associations will be established as each residential parcel of land is developed. The PD shall contain one or multiple Homeowner Associations/Property Owner Associations.